

EXHIBIT A

Term #	Term/Phrase	Terms/Phrases in Patents and Asserted Claims	IpLearn's Proposed Construction	Blackboard's Proposed Construction
1.	dialogue session	<p>'432: 25-28, 33, 34, 45, 48, 61-63, 66, 68, 69, 72-74, 77-79</p> <p>'942: 38, 40</p>	<p>A duration of time for users to communicate in a dialogue environment</p> <p>Intrinsic evidence:</p> <p>'432 patent: Fig. 7; Col. 1, ll.62-63; Col. 3, ll. 33-42; Col. 3, ll. 50-60; Col. 6, ll. 38-46; Col. 9, ll. 1-30; Col. 9, ll. 65-66; Col. 24, ll. 54 – col. 25, 4; Col. 25, ll. 12-20.</p>	<p>a period of use of the “system” by at least two users for communicating, with a defined beginning and end set by the “interaction controller” (i.e., the computer component which generates materials on a subject for the users, sets a duration of time for the users to communicate in a dialogue environment and monitors the users' responses) and during which the users' inputs are capable of being “monitored” by the “system”</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> '432 patent, Abstract; '942 patent, Abstract; '432 patent, col. 3, ll. 33-43; '432 patent, col. 3, ll. 38-48; '432 patent, col. 3, ll. 50-60; '942 patent col. 3, ll. 55-65; '432 patent, col. 5, ll. 37-39; '942 patent col. 5, ll. 38-42; '432 patent, col. 9, ll. 1-6; '432 patent, col. 9, ll. 21-24; '942 patent col. 9, ll. 24-27; '432 patent, col. 9, l. 66 - col. 10, l. 10; '432 patent, col. 14, ll. 29-31.</p> <p><i>See also, e.g.,</i> '432 patent claim 25; '432 patent, Fig. 7; '432 patent, col.</p>

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				3, ll. 64-67; '432 patent, col. 4, ll. 25-27; '432 patent, col. 6, ll. 38-40; '432 patent, col. 9, ll. 17-20; '432 patent, col. 9, ll. 26-28; '432 patent, col. 15, ll. 34-42; '432 patent, col. 17, ll. 1; '432 patent, col. 20, ll. 19-24; '432 patent, col. 24, ll. 54-col. 25, l. 4; '942 patent file history at June 15, 2005 Office Action; '942 patent file history at Dec. 15, 2005 Office Action Response and Amendment; and '942 patent file history at April 13, 2007 Notice of Allowability and Examiner's Amendment.
2.	materials tailored to the user/ materials tailored to the another user	'432: 25 '942: 38	Materials specifically for the user/another user Intrinsic evidence: '432 patent: Col. 2, ll. 49-53; Col. 3, ll. 44-46; Col. 17: 24-27; Col. 18, ll. 18-20.	materials "generated" by the computer specifically for a particular user/ materials "generated" by the computer specifically for another particular user <u>Intrinsic evidence:</u> <i>See, e.g.,</i> '432 patent ¹ , col. 3, ll. 5-36; col. 3, ll. 44-46; '942 patent file history at June 15, 2005 Office Action; '942 patent file history at Dec. 15, 2005 Office Action Response and Amendment; and '942 patent file history at April 13, 2007

¹ Please note that where a term appears in asserted claims of both parent and continuation patents, the specification of oldest patent (parent/grandparent) in the family will be cited for intrinsic evidence.

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				Notice of Allowability and Examiner's Amendment.
3.	line-item	<p>'486: 41</p> <p>'208: 1, 24</p> <p>'358: 1, 11, 21, 44, 47</p>	<p>'486: in an education system which assesses a student's level of understanding of a subject and in which the subject is divided into a hierarchy of complexity, a "line item" is a subdivision of the subject, with at least one line item being more difficult than another line item.</p> <p>'208 and '358: in an educational system which assesses a student's level of understanding of a subject and in which the subject is divided into a hierarchy of complexity, a "line item" is a subdivision of the subject.</p> <p>Evidence: <i>IpLearn, LLC v. Saba Software, Inc.</i>, No. 5:02-cv-02634-JW (N.D. Cal. Mar. 21, 2003), Order re: Claims Construction [Dkt. No. 97]; '486: 41; '208: claims 1, 24; '358: claims</p>	<p>"In an educational system which assesses a student's level of understanding of a subject and in which the subject is divided into a hierarchy of complexity, a 'line item' is a subdivision of the subject, with at least one line item being more difficult than another line item." (<i>Saba</i> court's construction).</p> <p><u>Intrinsic evidence:</u></p> <p><i>IP Learn, LLC v. Saba Software, Inc.</i>, Case No. 5:02-cv-02634, 2003 WL 25784370 (N.D. Cal. Mar. 21, 2003).</p> <p><i>See also, e.g.</i>, '486 patent, col. 3, ll. 46 - col. 4, l. 9; '486 patent, Fig. 5; '486 patent, col. 2, ll. 12-14; '486 patent, col. 2, ll. 36-44; ; '486 patent, col. 5, ll. 13-23; '486 patent, col. 6, ll. 18-26; '486 patent, col. 7, ll. 22-32; '486 patent, col. 7, l. 35 - col. 8, l. 20; '486 patent, col. 9, l. 61 - col. 10, l. 63; '486 patent, col. 11, ll. 33-43; '486 patent, col. 11, ll. 55-60; '486 patent, col. 14, ll. 1-16; '486 patent, col. 14, ll. 26-39; '486 patent, col. 15, ll. 1-56; '486 patent, col. 16, l. 9 - col. 17, l. 38; '486</p>

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			1, 11, 21, 44, 47.	patent, col. 17, ll. 43-50; '486 patent, Figs. 8 and 10; '208 patent, col. 2, ll. 7-16; '208 patent, col. 3, ll. 14-15; '208 patent, col. 3, ll. 18-67; '208 patent, col. 4, l. 61 - col. 5, l. 2; '208 patent, col. 6, ll. 11-29; '208 patent, col. 9, ll. 22-32; '208 patent, col. 9, l. 65 - col. 10, l. 6; '208 patent, Figs. 1, 5 and 7.
4.	inference engine	'486: 41, 42	<p>Hardware, software, or some mix of hardware and software, that accesses relationship rules to determine a student's level of understanding in a subject or line item.</p> <p>Intrinsic evidence: '486 patent: Claims 15, 23, and 41; Fig. 6; Col. 6, ll.53 – col. 9, ll. 44.</p>	<p>computer hardware/software that accesses the “relationship rules” in order to determine the student's level of understanding and to provide “recommendations”</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.</i>, '486 patent, Abstract; '486 patent, Figs. 1 and 6; '486 patent, col., 2, ll. 33-35; '486 patent, col. 2, ll. 45-50; '486 patent, col., 6, l. 45 - col. 8, l. 31.</p>
5.	relationship rules	'486: 41, 43	<p>A subset of analysis rules that define the relationship between or among areas of a subject.</p> <p>Intrinsic evidence: '486 patent: Col. 2:44-45; Col. 6, ll. 56-67; Col.7, ll. 63-67; Col. 8,</p>	<p>rules that define the relationship among the “line-items,” the minor-topics, the major-topics and the subject and that aid in determining the student's understanding in the subject to provide “recommendations”</p> <p><u>Intrinsic evidence:</u></p>

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			ll. 8-16.	<p><i>See, e.g.,</i> ‘486 patent, Figs. 1 and 6; ‘486 patent, col., 2, ll. 45-50; ‘486, col. 6, l. 37 - col. 8, l. 31.</p> <p><i>See also, e.g.,</i> ‘486 patent, col., 8, l. 36 - col. 9, l. 44; ‘486 col. 16, ll. 10-34.</p>
6.	analysis rules	‘909: 1 ‘486: 43	<p>In an education system which assesses a student’s level of understanding of a subject, the “analysis rules” is a set of rules used in the assessment.</p> <p>Evidence: <i>IP Learn, LLC v. Saba Software, Inc.</i>, No. 5:02-cv-02634-JW (N.D. Cal. Mar. 21, 2003), Order re: Claims Construction [Dkt. No. 97].</p>	<p>“In an educational system which assesses a student's level of understanding of a subject, the ‘analysis rules’ is a set of rules used in the assessment <u>and the generation of recommendations.</u>” (<i>Saba</i> court’s construction, with our addition in underline).</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g., IP Learn, LLC v. Saba Software, Inc.</i>, Case No. 5:02-cv-02634, 2003 WL 25784370 (N.D. Cal. Mar. 21, 2003); ‘486 patent, Figs. 1 and 3; ‘486 patent, col. 6, ll. 30-34; ‘486 patent, col. 6, ll. 45-51; ‘486 patent, col. 18, ll. 33-35. <i>See also, e.g.,</i> ‘486 patent, col. 9, l. 45 - col. 10, l. 8; ‘486 patent, col. 16, ll. 9-34; ‘486 patent, col. 17, ll. 56-64; ‘486 patent, col. 19, ll. 11-21.</p>
7.	the student has achieved a preset level in learning a line-item	‘358: 1, 11, 21	The student has reached or exceeded a preset level that indicates the student has	the student has reached or exceeded a numerical value that is predefined by the computer that represents a

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			<p>learned a line item.</p> <p>Intrinsic evidence:</p> <p>‘358 patent: Col. 4, ll. 25-45.</p>	<p>given measure of understanding for a particular “line-item”</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.</i>, ‘358 patent col. 2, ll. 11-23; ‘358 patent col. 3, l. 26 to col. 4, l. 11; ‘358 patent col. 4, ll. 19-45; ‘358 patent col. 5, ll. 5-22; ‘358 patent col.8, l. 62 – col. 9, l. 22; ‘358 patent col. 10, ll. 5-22.</p>
8.	allocating an area for a user to take notes	‘432: 37, 45, 77	<p>Designating a separate area for a user to take notes</p> <p>Intrinsic evidence:</p> <p>‘432 patent: Col. 4, ll. 40-41; Col. 22, ll. 20-33; Col. 22, ll. 51-56; Col. 23, ll. 60-63.</p>	<p>the computer reserves a portion of memory for the user to take and store notes</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.</i>, ‘432 patent, Abstract; ‘432 patent, col. 4, ll. 40-55; ‘432 patent, col. 22, ll. 20-28; ‘432 patent, col. 22, ll. 46-56; ‘942 patent file history at June 15, 2005 Office Action; ‘942 patent file history at Dec. 15, 2005 Office Action Response and Amendment; and ‘942 patent file history at April 13, 2007 Notice of Allowability and Examiner’s Amendment.</p>
9.	link a piece of notes taken to an area of the materials on the subject; link a piece of notes	‘432: 39, 45	Connect parts of a user’s notes to a certain point of materials	to connect the notes taken by the user to a specific area of the materials via a hypertext link created by the “interaction controller”

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	taken to an area of the materials retrieved		<p>Intrinsic evidence:</p> <p>‘432 patent: Col. 4, ll. 40-45; Col. 22, ll. 32-41; Col. 23, ll. 4-6; Col. 23, ll. 50-56.</p>	<p><u>Intrinsic evidence:</u></p> <p><i>See, e.g., ‘432 patent, col. 22, ll. 29-45; ‘432 patent, col. 23, ll. 4-18; see also ‘432 patent, col. 23, ll. 49-56; Figs. 3 and 10; ‘942 patent file history at June 15, 2005 Office Action; ‘942 patent file history at Dec. 15, 2005 Office Action Response and Amendment; and ‘942 patent file history at April 13, 2007 Notice of Allowability and Examiner’s Amendment.</i></p>
10.	recommendation generator	‘973: 24	<p>In an educational system which assesses a student’s level of understanding of a subject, the “recommendation generator” is a system and method that produces a recommendation using the analysis rules.</p> <p>Evidence: <i>IP Learn, LLC v. Saba Software, Inc.</i>, No. 5:02-cv-02634-JW (N.D. Cal. Mar. 21, 2003), Order re: Claims Construction [Dkt. No. 97].</p>	<p>“In an educational system which assesses a student's level of understanding of a subject, the ‘recommendation generator’ is a system <u>component</u> and method that produces a recommendation <u>based upon the student’s test results table</u> using the analysis rules.” (<i>Saba</i> court’s construction, with our addition in underline and deletions in strikethrough).</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g., IP Learn, LLC v. Saba Software, Inc.</i>, Case No. 5:02-cv-02634, 2003 WL 25784370 (N.D. Cal. Mar. 21, 2003); ‘973 patent, Figs. 1 and 3; ‘973 patent, col. 2, ll.</p>

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				<p>24-52; '973 patent, col. 4, ll. 18-57; '973 patent, col. 6, l. 36 - col. 8, l. 35.</p> <p><i>See also, e.g.,</i> '973 patent, col. 9, l. 46 - col. 11, l. 59; '973 patent, col. 11, ll. 56-58; '973 patent, col. 12, ll. 12-18.</p>
11.	learning user	<p>'478: 1, 2, 4, 8, 21, 38</p> <p>'556: 8, 22, 32, 66, 73, 74</p> <p>'580: 1, 2, 7, 12, 14, 20, 22</p>	<p>An individual interested in learning.</p> <p>Intrinsic evidence: '556 patent: Col. 3, ll. 16-17; Col. 4, ll. 14-19.</p>	<p>current or potential employee of an "institute user" who is primarily interested in learning without incurring substantial expense</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> '556 patent, Abstract; '556 patent, col. 1, l. 66 - col. 2, l. 6; '556 patent col. 2, ll. 10-14; '556 patent, col. 2, l. 63 - col. 3, l. 4; '556 patent, col. 4, ll. 13-29; '556 patent col. 9, ll. 10-36.</p> <p><i>See also, e.g.,</i> '556 patent, Figs. 4, 5 and 6; '556 patent, col. 3, ll. 16-17; '556 patent, col. 3, ll. 31-39; '556 patent, col. 12, ll. 4-13; '556 patent reexamination file history at June 25, 2004 Office Action, July 22, 2004 Supplemental Office Action, Sept. 9, 2004 Ex Parte Reexamination Interview Summary, Sept. 20, 2004 Office Action</p>

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				Response and Amendment, Dec. 10, 2004 Supplemental Amendment, Mar. 18, 2005 Office Action, June 1, 2005 Office Action Response and Amendment, and Jan. 6, 2006 Notice of Intent to Issue Ex Parte Reexamination Certificate, Examiner's Amendment and Statement of Reasons for Allowance.
12.	institute user	'556: 8, 22, 32, 66, 73, 74	<p>An organization or a person within an organization, which has an interest in information relating to a learning user.</p> <p><u>Intrinsic evidence:</u> '556 patent: Col. 3, ll. 10-12; Col. 4, ll. 30-31; Col. 7, ll. 20-26; Col. 7, ll. 54-56; Col. 11, ll. 19-20.</p>	<p>a company or school which pays for access to personal information regarding the "learning users"</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> '556 patent, Abstract; '556 patent, col. 1, l. 66 - col. 2, l. 6; '556 patent, col. 2, ll. 10-14; '556 patent, col. 2, ll. 59-62; '556 patent, col. 3, ll. 2-39; '555 patent, col. 4, ll. 7-19; '556 patent, col. 4, ll. 30-34; '556 patent col. 9, ll. 10-36.</p> <p><i>See also</i> '556 patent, col. 4, l. 40 - col. 5, l. 27; '556 patent, col. 6, ll. 54-63; '556 patent col. 7, l. 2 - col. 9, l. 5; '556 patent, col. 11, ll. 19-29; '556 patent, col. 12, ll. 15-29; '556 patent, Figs. 3 and 6; '556 patent reexamination file history at June 25, 2004 Office Action, July 22, 2004 Supplemental Office Action,</p>

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				Sept. 9, 2004 Ex Parte Reexamination Interview Summary, Sept. 20, 2004 Office Action Response and Amendment, Dec. 10, 2004 Supplemental Amendment, Mar. 18, 2005 Office Action, June 1, 2005 Office Action Response and Amendment, and Jan. 6, 2006 Notice of Intent to Issue Ex Parte Reexamination Certificate, Examiner's Amendment and Statement of Reasons for Allowance.
13.	institute user pays to access materials regarding the at least one learning user	'556: 8, 22	<p>In an educational system which assesses a student's level of understanding of a subject, "institute user pays to access materials regarding at least one learning user" means an organization pays a fee to access personal material regarding at least one individual user.</p> <p>Evidence: <i>IP Learn, LLC v. Saba Software, Inc.</i>, No. 5:02-cv-02634-JW (N.D. Cal. Mar. 21, 2003), Order re: Claims Construction [Dkt. No. 97].</p>	<p>"In an educational system which assesses a student's level of understanding of a subject, 'institute user pays to access materials regarding the at least one learning user' means an organization pays a fee to access personal material regarding at least one individual user." (<i>Saba</i> Court's construction).</p> <p><u>Intrinsic evidence:</u></p> <p><i>IP Learn, LLC v. Saba Software, Inc.</i>, Case No. 5:02-cv-02634, 2003 WL 25784370 (N.D. Cal. Mar. 21, 2003).</p> <p><i>See also, e.g.</i>, '556 patent, col. 1, l. 66 - col. 2, l. 6; '556 patent col. 2, ll. 10-14; '556 patent, col. 2, l. 59 - col.</p>

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				<p>3, l. 39; ‘556 patent, col. 4, l. 7 - col. 5, l. 27; ‘556 patent, col. 6, ll. 54-63; ‘556 patent col. 7, l. 2 - col. 9, l. 5; ‘556 patent col. 9, ll. 10-36; ‘556 patent, col. 11, ll. 3-20; ‘556 patent, col. 11, ll. 45-65; ‘556 patent, col. 12, ll. 13-49; ‘556 patent, Figs. 1, 2, 4, 5 and 6; ‘556 patent reexamination file history at June 25, 2004 Office Action, July 22, 2004 Supplemental Office Action, Sept. 9, 2004 Ex Parte Reexamination Interview Summary, Sept. 20, 2004 Office Action Response and Amendment, Dec. 10, 2004 Supplemental Amendment, Mar. 18, 2005 Office Action, June 1, 2005 Office Action Response and Amendment, and Jan. 6, 2006 Notice of Intent to Issue Ex Parte Reexamination Certificate, Examiner’s Amendment and Statement of Reasons for Allowance.</p>
14.	charged	<p>‘478: 1</p> <p>‘580: 1, 22, 23</p>	<p>Charged a fee.</p> <p>Intrinsic evidence: ‘478 patent: Col.9, ll. 15-18.</p>	<p>pays for access to personal information regarding a “learning user”</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> ‘478 patent col. 2, l. 59 - col. 3, l. 9; ‘478 patent, col. 3, ll. 33-</p>

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				39; '487 patent, col. 12, ll. 40-47; <i>See also, e.g.,</i> '478 patent col. 4, l. 44 - col. 5, l. 12 and Fig. 4.
15.	computer-aided/ computer implemented	<p>aided: '208: 1, 24 '358: 1, 8-11, 18-21, 44, 47</p> <p>'432: 25-28, 33, 34, 36, 37, 39-41, 43, 45, 48, 52, 55-57, 59, 61-63, 66-69, 72-74, 77-79</p> <p>'478: 1, 2, 4, 8, 12, 14, 21, 22, 35, 36, 38</p> <p>'556: 8, 22, 32, 66, 73, 74</p> <p>'909: 1, 4, 7, 1</p> <p>'973: 1, 16, 24</p> <p>implemented: '580: 1, 2, 7-10, 12, 20, 21, 23, 45</p> <p>'888: 9</p> <p>'942: 38, 40, 41</p>	Plain and ordinary meaning	<p>performed entirely by a computer</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> '432 patent, Fig. 3; '432 patent, Fig. 6A; '432 patent, Fig. 6B; '432 patent, col. 1, ll. 14-16; '432 patent, col. 1, l. 61 – col. 2, l. 5; '432 patent, col. 2, ll. 21-67; '432 patent, col. 3, ll. 3-16; '432 patent, col. 12, ll. 13-49; '556 patent, Fig. 7A; '556 patent, Fig. 7B; '556 patent, col. 1, ll. 17-20; '556 patent, col. 1, ll. 27-33; '556 patent, col. 1, ll. 48-59; '556 patent, col. 2, ll. 10-34; '556 patent, col. 2, ll. 47-58; '556 patent, col. 2, l. 63 – col. 3, l. 4; '556 patent, col. 9, l. 37 – col. 11, l. 59; '556 patent, col. 11, l. 66 – col. 12, l. 12; '580 patent, Fig. 7A; '580 patent, Fig. 7B; '580 patent, col. 1, ll. 19-22; '580 patent, col. 1, ll. 30-36; '580 patent, col. 1, ll. 50-61; '580 patent, col. 2, ll. 12-36; '580 patent, col. 2, ll. 50-60; '580 patent, col. 2, l. 65 – col. 3, l. 6; '580 patent, col. 5, l. 66 – col. 6, l. 11; '580 patent, col. 9, l. 38 – col. 12, l. 17; '586 patent, Fig. 2A; '486 patent, Fig. 2B; '486</p>

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				<p>patent, col. 1, ll. 8-15; '486 patent, col. 4, ll. 9-50; '486 patent, col. 14, ll. 3-14; '486 patent, col. 14, ll. 21-24; '888 patent, col. 1, ll. 35-36; '888 patent, col. 1, ll. 37-53; '888 patent, col. 5, ll. 9-15; '888 patent, col. 5, l. 66 – col. 6, l. 5; '888 patent, col. 7, ll. 7-10; '208 patent, Fig. 3A; '208 patent, Fig. 3B; '208 patent, col. 1, ll. 6-8; '208 patent, col. 1, ll. 22-32; '208 patent, col. 1, ll. 48-53; '208 patent, col. 1, ll. 57-65; '208 patent, col. 1, l. 66 – col. 2, l. 4; '208 patent, col. 3, ll. 3-10; '208 patent, col. 5, ll. 11-63.</p> <p><i>See also, e.g.,</i> '330 patent file history at Feb. 22, 2000 Office Action Response; '942 patent file history at June 15, 2005 Office Action; '942 patent file history at Dec. 15, 2005 Office Action Response and Amendment; and '942 patent file history at April 13, 2007 Notice of Allowability and Examiner's Amendment.</p>
16.	system	<p>'432: 25, 45, 48, 61, 66, 72, 77</p> <p>'486: 41-44</p> <p>'973: 24</p>	Plain and ordinary meaning	<p>a computer that performs each of the claim steps or contains each of the claim components</p> <p><u>Intrinsic evidence:</u></p>

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				<p><i>See, e.g.,</i> ‘432 patent, Fig. 3; ‘432 patent, Fig. 6A; ‘432 patent, Fig. 6B; ‘432 patent, col. 1, ll. 14-16; ‘432 patent, col. 1, l. 61 – col. 2, l. 5; ‘432 patent, col. 2, ll. 21-67; ‘432 patent, col. 3, ll. 3-27; ‘432 patent, col. 3, l. 61 – col. 4, l. 2; ‘432 patent, col. 4, ll. 17-32; ‘432 patent, col. 5, l. 33 – col. 6, l. 9; ‘432 patent, col. 6, ll. 32-46; ‘432 patent, col. 7, ll. 50-63; ‘432 patent, col. 8, ll. 5-10; ‘432 patent, col. 12, ll. 1-6; ‘432 patent, col. 12, ll. 13-58; ‘432 patent, col. 14, ll. 47-53; ‘432 patent, col. 15, ll. 7-34; ‘432 patent, col. 16, ll. 19-64; ‘432 patent, col. 18, l. 28 – col. 25, l. 31; ‘432 patent, col. 26, ll. 36-42; ‘486 patent, col. 1, ll. 8-15; ‘486 patent, col. 1, l. 55 – col. 2, l. 21; ‘486 patent, col. 4, ll. 9-50; ‘486 patent, col. 11, ll. 16-24; ‘486 patent, col. 14, ll. 3-14; ‘486 patent, col. 14, ll. 21-54; ‘486 patent, col. 14, l. 65 – col. 18, l. 19; ‘486 patent, col. 18, ll. 43-52.</p> <p><i>See also, e.g.,</i> ‘942 patent file history at June 15, 2005 Office Action; ‘942 patent file history at Dec. 15, 2005 Office Action Response and Amendment; and ‘942 patent file history at April 13, 2007 Notice of Allowability and</p>
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				Examiner's Amendment; '330 patent file history at Feb. 22, 2000 Office Action Response.
17.	monitoring/ monitored	'432: 25 '478: 1, 8, 38 '556: 32, 53, ² 66, 73, 74 '580: 1, 22	Plain and ordinary meaning	'432 patent and '942 patent tracking/ed by the "interaction controller" '556 patent, '478 patent and '580 patent tracking/ed by the computer <u>Intrinsic evidence:</u> <i>See, e.g.,</i> '432 patent, col. 3, ll. 17-18; '432 patent, col. 5, ll. 37-39 '432, col. 5, ll. 39-50; Col. 6, ll. 32-33; Col. 7, ll. 8-10; Col. 21, ll. 16-20. <i>See also</i> col. 8, ll. 15-17; col. 15, ll. 19-29; col. 21, ll. 17-25; col. 24, ll. 3-7 and ll. 39-44; col. 25, ll. 5-11 and ll. 23-30; '942 patent file history at June 15, 2005 Office Action; '942 patent file history at Dec. 15, 2005 Office Action Response and Amendment; and '942 patent file history at April 13, 2007 Notice of Allowability and Examiner's Amendment; '556 patent, col. 6, l. 53 - col. 9, l. 9; '556 patent, Figs 1, 2, and 5.

² Claim 53 is not an asserted claim, but asserted claim 73 is dependent on claim 53.

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				<p><i>See also, e.g., ‘556 patent reexamination file history at June 25, 2004 Office Action, July 22, 2004 Supplemental Office Action, Sept. 9, 2004 Ex Parte Reexamination Interview Summary, Sept. 20, 2004 Office Action Response and Amendment, Dec. 10, 2004 Supplemental Amendment, Mar. 18, 2005 Office Action, June 1, 2005 Office Action Response and Amendment, and Jan. 6, 2006 Notice of Intent to Issue Ex Parte Reexamination Certificate, Examiner’s Amendment and Statement of Reasons for Allowance.</i></p>
18.	retrieving/ retrieved/retrieves	<p>’432: 25, 27, 45, 61, 62, 66, 68, 72, 73, 77, 78</p> <p>’478: 1</p> <p>’556: 8, 22, 32, 66, 74</p> <p>’580: 1, 22, 23</p> <p>’942: 38, 40, 41</p>	Plain and ordinary meaning	<p><u>’432 patent and ’942 patent</u> collecting/ed by the “interaction controller”</p> <p><u>’556 patent, ’478 patent and ’580 patent</u> collecting/ed a user identifier, which identifies the user as either an “institute user” or a “learning user,” by the retriever (i.e., the computer component which collects the information in the user identifier)</p> <p><u>Intrinsic evidence:</u></p>

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				<p><i>See, e.g.,</i> ‘432 patent, col. 13, ll. 63-67; col. 14, ll. 1-7; ‘942 patent file history at June 15, 2005 Office Action; ‘942 patent file history at Dec. 15, 2005 Office Action Response and Amendment; and ‘942 patent file history at April 13, 2007 Notice of Allowability and Examiner’s Amendment; ‘556 patent, col. 3, ll. 10-15; ‘556 patent, Abstract; ‘556 patent, Figs. 1 and 2; ‘556 patent, col. 3, ll. 10-15; ‘556 patent, col. 4, ll. 34-44; ‘556 patent, col. 5, ll. 27-35; ‘556 patent, col. 10, ll. 10-16.</p>
19.	available for analysis	‘432: 25	Plain and ordinary meaning	<p>[user responses/inputs] ready to be analyzed by the “performance analyzer” (i.e., the computer component which analyzes the users’ responses “monitored” by the “interaction controller”)</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> ‘432 patent, col. 5, ll. 43-45; ‘432 patent, col. 15, 29-34.</p> <p><i>See also, e.g.,</i> ‘432 patent, col. 10, ll. 32-34; col. 10, ll. 28-50 (generally); Fig. 4; col. 25, ll. 9-11. ‘942 patent file history at June 15, 2005 Office Action; ‘942 patent file history at</p>

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				Dec. 15, 2005 Office Action Response and Amendment; and '942 patent file history at April 13, 2007 Notice of Allowability and Examiner's Amendment.
20.	register	'432: 26, 52	Plain and ordinary meaning	<p>a user's request to join a group is based upon a computer suggestion to an existing user to consider joining the group</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.</i>, '432 patent, col. 20, l. 65 - col. 21, l. 9; '942 patent file history at June 15, 2005 Office Action.</p>
21.	separate dialogue	'432: 61	Plain and ordinary meaning	<p>a "dialogue session" different from the original "dialogue session" with fewer than all of the original dialogue session's participants</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.</i>, '432 patent, claim 61; '942 patent file history at June 15, 2005 Office Action; '942 patent file history at Dec. 15, 2005 Office Action Response and Amendment; and '942 patent file history at April 13, 2007 Notice of Allowability and Examiner's Amendment.</p>
22.	restricted from joining the separate dialogue	'432: 61	Plain and ordinary meaning.	prevented by the user registry from joining the "separate dialogue" session by one of the following

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				<p>methods: failing to send a user certain materials, removing a user's key from the set of pre-stored keys, storing a user's name or social security number on a restricted user list</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g., '432 patent, col. 20, ll. 37-64; see also '432 patent, col. 6, ll. 57-67; col. 8, ll. 44-67.</i></p>
23.	allowing the user to individually work on the retrieved materials not during the dialogue session	<p>'432: 61, 66, 72, 77</p> <p>'942: 38</p>	Plain and ordinary meaning	Indefinite
24.	drawing	<p>'432: 66, 67</p> <p>'942: 38</p>	Plain and ordinary meaning	<p>picture created via a drawing utility by a user on the computer</p> <p><u>Intrinsic evidence:</u></p> <p>'432 patent, col. 10, ll. 5-10; '942 patent file history at June 15, 2005 Office Action; '942 patent file history at Dec. 15, 2005 Office Action Response and Amendment; and '942 patent file history at April 13, 2007 Notice of Allowability and Examiner's Amendment.</p>
25.	generated/generate/generating	'486: 41, 42	Plain and ordinary meaning	created by the computer/ create by the computer/ creating by the

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		<p>'208: 1, 24</p> <p>'358: 1, 11, 21, 44</p> <p>'580: 30</p> <p>'888: 10</p> <p>'909: 1, 4, 7, 15</p> <p>'973: 1, 24</p>	<p>computer</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> '486 patent, Abstract; '486 patent, col. 2, ll. 1-8; '486 patent, col. 2, ll. 15-43; '486 patent, col. 4, ll. 9-38; '486 patent, col. 4, ll. 55-57; '486 patent, col. 5, l. 9 - col. 7, l. 15; '486 patent, col. 8, l. 21-36; '486 patent, col. 9, ll. 14-25; '486 patent, col. 9, ll. 46-60; '486 patent, col. 13, ll. 17-49; '486 patent, col. 14, ll. 2-54; '486 patent, col. 15, l. 54 - col. 17, l. 38; '486 patent, col. 17, ll. 55-64; '486 patent, col. 18, ll. 21-56; '486 patent, col. 18, l. 60 - col. 19, l. 10; '486 patent, Figs. 1, 3, 4, 5, 6, 7, 9 and 10; '208 patent, Abstract; '208 patent, Figs. 1, 2, 4, 6 and 8; '208 patent, col. 2, ll. 5-15; '208 patent, col. 2, ll. 27-35.</p> <p><i>See also, e.g.,</i> '208 patent, col. 5, ll. 11-30; '208 patent, col. 5, ll. 50 - col. 6, l. 4; '208 patent, col. 6, ll. 30-64; '208 patent, col. 7, l. 1 - col. 8, l. 40; '208 patent, col. 10, l. 51 - col. 11, l. 30; '208 patent, col. 12, ll. 39-59; '208 patent, col. 13, ll. 4-20; '888 patent, Abstract; '888 patent, Fig. 1; '888 patent, col. 1, ll. 57-64; '888 patent, col. 2, ll. 5-61; '888</p>
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				patent, col. 3, ll. 9-23; '888 patent, col. 3, ll. 38-60; '888 patent, col. 3, l. 66 - col. 4, l. 6; '208 patent, col. 6, l. 2 - col. 7, l. 10.
26.	score generator accessing the student's latest test results to generate one or more overall scores for the corresponding one or more line-items in the latest test	'486: 41	Plain and ordinary meaning	<p>§ 112, ¶ 6 - means-plus-function term</p> <p>Function: generating one or more overall scores for the corresponding one or more line-items in the latest test by accessing the students latest test results</p> <p>Structure: computer hardware or software</p> <p>Algorithm: no algorithm disclosed for generating an overall score for one or more line-items in the latest test</p>
27.	overall scores	'486: 41, 44 '909: 4, 7	Plain and ordinary meaning	<p>a value calculated by the "score generator" based upon the student's performance on one or more "line-items" in the latest test</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> '486 patent, Figs. 3, 4 and 5; '486 patent, col. 2, ll. 22-26; '486 patent, col. 4, l. 56 - col. 5, l. 3; '486 patent, col. 5, l. 10 - col. 6, l. 29; '486 patent, col. 15, l. 52 - col. 16, l.</p>

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				9; '486 patent, col. 18, ll. 29-31. <i>See also, e.g.,</i> '486 patent, claim 41.
28.	recommendation	'486: 42 '909: 1, 4, 15 '973: 1, 24	Plain and ordinary meaning	the next course of study for the student as determined by the computer based upon the student's test results <u>Intrinsic evidence:</u> <i>See, e.g.,</i> '486 patent, Abstract; '486 patent, Figs. 1, 3, 6, 7 and 9; ; '486 patent, col., 2, ll. 33-50; '486, col. 2, l. 64 - col. 3, l. 4; '486 patent, col. 6, ll. 30-62; '486 patent, col. 8, ll. 21-31; '486 patent, col. 9, ll. 45-53. <i>See also, e.g.,</i> '486 patent, col. 10, l. 22 - col. 11, l. 9; '486 patent, col. 11, ll. 55-59; '486 patent, col. 12, ll. 38-54; '486 patent, col. 13, ll. 14-36; '486 patent col. 17, ll. 56-65.
29.	reinforce	'208, 1 '358, 1	Plain and ordinary meaning	confirm a student's learning of a subject via the usage of "reviews" that have been specifically tailored for a particular student by the computer <u>Intrinsic evidence:</u> <i>See, e.g.,</i> '208 patent Abstract; 208 patent col. 1, ll. 33-54; '208 patent, col. 1, ll. 57-65; '208 patent col. 9,

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				ll. 56-64; '208 patent col. 11, l. 66 – col. 12, l. 5; '208 patent claims 1, 10, and 15, 18, & 24.
30.	reviews	'208, 1	Plain and ordinary meaning	<p>materials specifically tailored for a particular student that have been “generated” by a computer for the renewed study of a previously learned subject</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> '208 patent Abstract; '208 patent col. 1, ll. 6-8; '208 patent col. 1, ll. 33-54; '208 patent col. 1, ll. 57-65; '208 patent col. 2, ll. 5-16; '208 patent col. 4, ll. 13-34; '208 patent col. 11, ll. 21-30; '208 patent col. 11, ll. 51-65; '208 patent col. 11, l. 66 – col. 12, l. 5; '208 patent col.12, ll. 49-59.</p>
31.	learnt line-item	'208, 1	Construction for “line-item” is offered above. Plain and ordinary meaning.	<p>a “line-item” for which the student has reached or exceeded a “preset level”</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> '208 patent Abstract; '208 patent col. 1, l. 66 – col. 2, l. 4; '208 patent col.2, ll. 5-16; '208 patent col. 2, ll. 21-35; '208 patent col. 4, ll. 8-34; '208 patent col. 4, l. 61 – col. 5, l. 30; '208 patent col. 5, l. 64 – col. 6, l. 38; '208 patent col. 6, l. 61 –</p>

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				col. 7, l. 30; ‘208 patent col. 8, ll. 16-24; ‘208 patent col. 8, l. 43 – col. 9, l. 21; ‘208 patent col. 9, l. 56 – col. 10, l. 20; ‘208 patent col. 10, l. 32 – col. 11, l. 30; ‘208 patent col. 11, l. 51 – col. 12, l. 47; ‘208 patent col. 12, ll. 49-59; ‘208 patent Fig. 7; ‘208 patent claims 1, 18, & 24.
32.	learnt line-item selection rules; line-item selection rules	‘208, 1, 24 ‘358, 1, 11, 18-21, 44 and 47	Plain and ordinary meaning	<p>rules that govern which [learnt] “line-item” is selected by the computer based upon a one or more of the following factors: the time elapsed from the time when the student learnt that “line-item,” the level achieved by the student in learning that “line-item,” its difficulty level, whether that “learnt line-item” is related to the selected un-learnt line-item, and whether that “learnt line-item” has been selected before</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> ‘208 patent Abstract; ‘208 patent col. 2, ll. 5-16; ‘208 patent col. 2, ll. 27-35; ‘208 patent col. 5, ll. 11-30; ‘208 patent col. 5, l. 64 – col. 6, l. 44; ‘208 patent col. 7, ll. 19-30; ‘208 patent col. 7, l. 58 – col. 8, l. 3; ‘208 patent col. 8, l. 43 – col. 10, l. 64; ‘208 patent col. 11, l. 31 –</p>

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				col. 12, l. 47'; '208 patent Figs. 2, 7, 8 & 9.
33.	summarized learning materials	'208, 1, 24 '358, 1, 11, 21	Plain and ordinary meaning	<p>a subset of "learning materials" "generated" by a computer that are specifically tailored for a particular student for the student's review of material classified by the computer as a "learnt line-item"</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> '208 patent Abstract; '208 patent col. 1, ll. 57-65; '208 patent col. 2, ll. 5-20; '208 patent col. 2, ll. 27-34; '208 patent col. 4, ll. 13-34; '208 patent col. 5, l. 64 – col. 6, l. 4; '208 patent col. 10, l. 51 – col. 11, l. 30.</p>
34.	learning materials	'208, 1, 24 '358, 1, 11, 18-21, 44 and 47	Plain and ordinary meaning	<p>includes both detailed learning materials and "summarized learning materials," both of which are "generated" by a computer and comprised of study-plans, or questions, or study-plans with questions</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> '208 patent Abstract; '208 patent col. 1, ll. 57-65; '208 patent col. 2, ll. 5-35; '208 patent col. 4, ll. 8-34; '208 patent col. 5, ll. 11-30; '208 patent col. 5, l. 64 – col. 6, l. 4;</p>

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				<p>‘208 patent col. 6, l. 30 – col. 7, l. 11; ‘208 patent col. 8, ll. 4-32; ‘208 patent col. 8, ll. 43-57; ‘208 patent col. 9, ll. 4-9; ‘208 patent col. 10, l. 51 – col. 11, l. 30; ‘208 patent col. 12, ll. 39-47; ‘208 patent col. 12, ll. 49-65; ‘208 patent col. 13, ll. 5-20; ‘208 patent Figs. 4, 6, & 8.</p>
35.	selectively generated	‘208, 1	Plain and ordinary meaning	<p>[learning materials] created by a computer that are specifically tailored for a particular student</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> ‘208 patent Abstract; ‘208 patent col. 1, ll. 48-65; ‘208 patent col. 2, ll. 5-16; ‘208 patent col. 4, ll. 29-34; ‘208 patent col. 5, ll. 11-30; ‘208 patent col. 5, l. 50 to col. 8, l. 42; ‘208 patent col. 9, ll. 4-9; ‘208 patent col. 10, l. 51 – col. 11, l. 20; ‘208 patent col. 12, ll. 39-47; ‘208 patent col. 12, ll. 49-59; ‘208 patent col. 13, ll. 5-20; ‘208 patent Figs. 4 & 6.</p>
36.	selector	<p>‘208: 24</p> <p>‘358: 11 & 44</p>	Plain and ordinary meaning	<p>a computer component that selects a “line-item” from the line-item storage-medium based upon one or more “line-item selection rules”</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> ‘208 patent col. 5, ll. 11-</p>

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				30; '208 patent col. 5, ll. 50-63; '208 patent col. 6, ll. 5-10; '208 patent col. 6, ll. 30-44; '208 patent col. 7, ll. 19-30; '208 patent col. 7, l. 58 – col. 8, l. 3; '208 patent col. 8, l. 49 – col. 9, l. 9; '208 patent col. 10, ll. 51-64; '208 patent col. 11, l. 51 – col. 12, l. 47; '208 patent Figs. 2, 4 & 7-9; '208 patent claim 24; '358 patent claims 11 & 44.
37.	fundamental understanding	'909: 7	Plain and ordinary meaning	Indefinite
38.	learning-material generator	'208: 24 '358: 11, 44	Plain and ordinary meaning	<p>In an educational system which assesses a student's level of understanding of a subject, the “learning-material generator” is a module that creates customized learning materials for the student in the form of questions or study plans.</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.</i>, '208 patent Abstract; '208 patent col. 1, ll. 48-65; '208 patent col. 2, ll. 5-16; '208 patent col. 4, ll. 29-34; '208 patent col. 5, ll. 11-30; '208 patent col. 5, l. 50 to col. 8, l. 42; '208 patent col. 9, ll. 4-9; '208 patent col. 10, l. 51 – col. 11, l. 20; '208 patent col. 12, ll. 39-47; '208 patent col. 12, ll. 49-59; '208 patent col. 13, ll. 5-20; '208 patent Figs. 4 & 6.</p>

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39.	preset level in learning a line-item	'358, 11	See "the student has achieved a preset level in learning a line-item"	See "the student has achieved a preset level in learning a line-item"
40.	rules	'888: 9, 35	Plain and ordinary meaning	<p>"relationship rules" or "analysis rules" that enable the computer to determine at least one "weakness" in a particular learner's understanding of a subject</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g., '888 patent, col. 2, ll. 34-39; '888 patent, col. 6, l. 63 - col. 7, l. 1.</i></p> <p><i>See also, e.g., '888 patent, claim 9.</i></p>
41.	weakness	'888: 9, 35	Plain and ordinary meaning	<p>a determination by the computer that the learner has a low level of understanding in a subject</p> <p><u>Intrinsic evidence:</u></p> <p><i>See e.g., '486 patent, col. 11, ll. 61-67.</i></p>
42.	guidance	'888: 9, 35	Plain and ordinary meaning	<p>action items provided by the computer indicating ways for the learner to improve on a subject they are weak in</p> <p><u>Intrinsic evidence:</u></p>

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				<p><i>See e.g.</i>, ‘486 patent, col. 11, ll. 61-67.</p> <p><i>See also, e.g.</i>, ‘888 patent, claim 9 and claim 35.</p>
43.	considering at least a preference of the learner, other than the fact that the learner might prefer to learn the subject	‘888, 9, 35	Plain and ordinary meaning	Indefinite
44.	materials related to the learner	‘888: 9, 35	Plain and ordinary meaning	Indefinite
45.	generating materials for learning the subject	‘888: 10	Plain and ordinary meaning	<p>creation of “learning materials” specifically tailored for a particular learner by the computer</p> <p><u>Intrinsic evidence:</u></p> <p><i>See e.g.</i>, ‘888 patent, col. 1, ll. 59-62; ‘888 patent col. 3, ll. 5-14; ‘888 patent col. 3, ll. 39-60; ‘888 patent col. 3, l. 66 - col. 4, l. 6.</p>
46.	materials related to the user; materials related to a user	<p>‘556: 8, 22, 32, 66, 74</p> <p>‘478: 1</p> <p>‘580: 1, 22, 23</p>	Plain and ordinary meaning	<p>a user identifier which identifies the user as either an “institute user” or a “learning user”</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.</i>, ‘556 patent, Abstract; ‘556 patent, col. 3, ll. 10-15; ‘556 patent col. 4, ll. 34-44; ‘556 patent, col. 5, ll. 27-33; ‘556 patent, col. 10,</p>

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				<p>ll. 10-16; ‘556 patent Figs. 1, 2 and 3.</p> <p><i>See also, e.g., ‘556 patent reexamination file history at June 25, 2004 Office Action, July 22, 2004 Supplemental Office Action, Sept. 9, 2004 Ex Parte Reexamination Interview Summary, Sept. 20, 2004 Office Action Response and Amendment, Dec. 10, 2004 Supplemental Amendment, Mar. 18, 2005 Office Action, June 1, 2005 Office Action Response and Amendment, and Jan. 6, 2006 Notice of Intent to Issue Ex Parte Reexamination Certificate, Examiner’s Amendment and Statement of Reasons for Allowance.</i></p>
47.	materials regarding at least one learning user; materials regarding a learning user	<p>‘556: 8, 22, 32, 66, 74</p> <p>‘478: 1</p> <p>‘580: 1, 22</p>	Plain and ordinary meaning	<p>personal information (“attributes”) including name, contact information, education, work experience, preferences, learning objectives and learning activities of at least one/a “learning user”</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g., ‘556 patent, col. 2, ll. 59-62; ‘556 patent col. 3, ll. 2-9; ‘556 patent col. 4, ll. 13-19; ‘556 patent col. 4, l. 45 - col. 5, l. 12.</i></p>

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				<p><i>See also, e.g., ‘556 patent Figs. 4 & 5; ‘556 patent reexamination file history at June 25, 2004 Office Action, July 22, 2004 Supplemental Office Action, Sept. 9, 2004 Ex Parte Reexamination Interview Summary, Sept. 20, 2004 Office Action Response and Amendment, Dec. 10, 2004 Supplemental Amendment, Mar. 18, 2005 Office Action, June 1, 2005 Office Action Response and Amendment, and Jan. 6, 2006 Notice of Intent to Issue Ex Parte Reexamination Certificate, Examiner’s Amendment and Statement of Reasons for Allowance.</i></p>
48.	perform a task	‘556: 8, 22, 66	Plain and ordinary meaning	<p>the materials being accessed and worked on by the “learning user” are directed to a job function to be done by the “learning user”</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g., ‘556 patent, col. 1, ll. 60-64; ‘556 patent, col. 3, ll. 28-30; ‘556 patent, col. 8, ll. 61-66.</i></p> <p><i>See also, e.g., ‘556 patent, Fig. 6; ‘556 patent reexamination file history at June 25, 2004 Office Action, July 22, 2004 Supplemental</i></p>

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				Office Action, Sept. 9, 2004 Ex Parte Reexamination Interview Summary, Sept. 20, 2004 Office Action Response and Amendment, Dec. 10, 2004 Supplemental Amendment, Mar. 18, 2005 Office Action, June 1, 2005 Office Action Response and Amendment, and Jan. 6, 2006 Notice of Intent to Issue Ex Parte Reexamination Certificate, Examiner's Amendment and Statement of Reasons for Allowance.
49.	ascertaining materials	'556: 8, 22, 53, 66	Plain and ordinary meaning	<p>selecting "learning materials" to prepare the "learning user" for a job position via the application of a set of rules by a computer component (i.e., the "learning material ascertainment")</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.</i>, '556 patent, col. 5, l. 36 - col. 6, l. 13.</p> <p><i>See also, e.g.</i>, '556 patent, Fig. 2; '556 patent reexamination file history at June 25, 2004 Office Action, July 22, 2004 Supplemental Office Action, Sept. 9, 2004 Ex Parte Reexamination Interview Summary, Sept. 20, 2004 Office Action Response and Amendment,</p>

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				Dec. 10, 2004 Supplemental Amendment, Mar. 18, 2005 Office Action, June 1, 2005 Office Action Response and Amendment, and Jan. 6, 2006 Notice of Intent to Issue Ex Parte Reexamination Certificate, Examiner's Amendment and Statement of Reasons for Allowance.
50.	attribute	<p>'556: 8, 22, 53, 66</p> <p>'478: 4</p> <p>'580: 29</p>	Plain and ordinary meaning	<p>personal information including name, contact information, education, work experience, preferences, learning objectives and learning activities</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.</i>, '556 patent, col. 3, ll. 54-57; '556 patent, col. 4, l. 45 - col. 5, l. 12; '556 patent, col. 6, ll. 23-26.</p> <p><i>See also</i> '556 patent Figs. 4 & 5; '556 patent reexamination file history at June 25, 2004 Office Action, July 22, 2004 Supplemental Office Action, Sept. 9, 2004 Ex Parte Reexamination Interview Summary, Sept. 20, 2004 Office Action Response and Amendment, Dec. 10, 2004 Supplemental Amendment, Mar. 18, 2005 Office Action, June 1, 2005 Office Action Response and Amendment, and Jan.</p>

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				6, 2006 Notice of Intent to Issue Ex Parte Reexamination Certificate, Examiner's Amendment and Statement of Reasons for Allowance.
51.	works for the institute user; working for the institute user	'556: 32, 73, 74 '478: 2, 21	Plain and ordinary meaning	<p>is employed by the "institute user"</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.</i>, '556 patent, col. 2, l. 9 - col. 3, l. 39; '556 patent, col. 8, l. 65 - col. 9, l. 19; '556 patent, col. 11, l. 10 - col. 12, l. 49.</p> <p><i>See also, e.g.</i>, '556 patent, Fig. 2; '556 patent reexamination file history at June 25, 2004 Office Action, July 22, 2004 Supplemental Office Action, Sept. 9, 2004 Ex Parte Reexamination Interview Summary, Sept. 20, 2004 Office Action Response and Amendment, Dec. 10, 2004 Supplemental Amendment, Mar. 18, 2005 Office Action, June 1, 2005 Office Action Response and Amendment, and Jan. 6, 2006 Notice of Intent to Issue Ex Parte Reexamination Certificate, Examiner's Amendment and Statement of Reasons for Allowance.</p>
52.	objective of the institute	'556: 32, 74	Plain and ordinary meaning	the "learning materials" provided to

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	user	'478: 12, 22		<p>the “learning user” is selected by the “learning material ascertainment” (i.e., the computer component that determines what “learning materials” to provide to the “learning user” by identifying the “learning user’s” objective by applying a set of rules) based upon what the “institute user” wants the “learning user” to learn</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> ‘556 patent col. 1, ll. 60-64; ‘556 patent col. 3, ll. 28-30; ‘556 patent col. 5, l. 36 - col. 6, l. 11; ‘556 patent col. 7, ll. 9-19; ‘556 patent col. 8, ll. 61-66).</p> <p><i>See also, e.g.,</i> ‘556 patent, Figs. 2 & 6.</p>
53.	searching the materials to learn, to identify materials under a title	'556: 53	Plain and ordinary meaning	Indefinite
54.	identified	'478: 1	Plain and ordinary meaning	<p>selected by the “learning material ascertainment” based upon the learning objective of the “learning user” as determined by the “learning material ascertainment”</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.,</i> ‘478 patent, col. 5, ll. 36-</p>

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				39; '478 patent, col. 5, l. 63 - col. 6, l. 3. <i>See also, e.g.,</i> '478 patent, Figs. 1, 2, 4, 5 and 6.
55.	becoming aware of a learning user's understanding; becoming aware of the learning user's understanding	'478: 1 '580: 1, 22, 23	Plain and ordinary meaning	the computer determines the "learning user's" understanding based upon information contained in the user's profile <u>Intrinsic evidence:</u> <i>See, e.g.,</i> '478, patent, col. 5, ll. 36-48; '478 patent, col. 6, ll. 14-46; '580 patent, col. 5, ll. 39-51; '478 patent, col. 6, ll. 54-64.
56.	need of a learning user; need of the user	'478: 1 '580: 26	Plain and ordinary meaning	specific individual learning objectives of a particular "learning user"/user <u>Intrinsic evidence:</u> <i>See, e.g.,</i> '478 patent col. 2, l. 66-col. 3, l. 4; '478 patent col. 5, ll. 5-9; '478 patent col. 5, ll. 36-62; '478 patent, col. 12, ll. 3-7.
57.	area that is related to the learning user being monitored/area that is related to a learning activity of the user that is tracked	'580: 1, 22, 23	Plain and ordinary meaning	"learning materials" regarding a product or service offered for commercial sale by the "institute user" that the "learning user" has accessed <u>Intrinsic evidence:</u>

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				<p><i>See, e.g.,</i> ‘580 patent col. 1, ll. 62-67; ‘580 patent col. 6, ll. 50-56; ‘580 patent col. 8, ll. 9-11; ‘580 patent col. 8, ll. 38-44; ‘580 patent col. 12, ll. 33-48.</p> <p><i>See also, e.g.,</i> ‘580 patent, claim 1 and claim 22.</p>
58.	enterprise	‘580: 23, 39, 45	Plain and ordinary meaning	Indefinite
59.	generating information corresponding to the learning activity of the group	‘580: 30	Plain and ordinary meaning	Indefinite
60.	product of the institute user	‘478: 36 ‘580: 1, 22	Plain and ordinary meaning	product or service offered for commercial sale by the “institute user” <u>Intrinsic evidence:</u> <i>See, e.g.,</i> ‘478 patent col. 1, ll. 60-65; ‘478 patent col. 6, ll. 47-53; ‘478 patent col. 8, ll. 7-9; ‘478 patent col. 8, ll. 37-44; ‘478 patent col. 12, ll. 26-39.
61.	information resulted from activities of a plurality of learning users/information resulted from activities of a plurality of users	‘580: 14, 39	Plain and ordinary meaning	Indefinite
62.	customized learning	‘580: 29	Plain and ordinary meaning	a set of “learning materials”

EXHIBIT A

	program			<p>specifically tailored for a particular user generated by the “learning material ascertainment”</p> <p><u>Intrinsic evidence:</u></p> <p><i>See, e.g.</i>, ‘580 patent col. 3, ll. 1-4; ‘580 patent col. 5, ll. 7-11; ‘580 patent col. 5, l. 43-col. 6, l. 14; ‘580 patent, col. 12, ll. 14-17.</p>
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